



CITY OF MORGAN HILL  
17555 PEAK AVENUE MORGAN HILL, CALIFORNIA 95037

**COUNCIL MEMBERS**

Dennis Kennedy, Mayor  
Steve Tate, Mayor Pro Tempore  
Larry Carr, Council Member  
Mark Grzan, Council Member  
Greg Sellers, Council Member

**WEDNESDAY, SEPTEMBER 21, 2005**

**AGENDA**

**CITY COUNCIL SPECIAL MEETING**

**7:00 P.M.**

*A Special Meeting of the City Council is called at 7:00 P.M. for the Purpose of conducting City Business.*

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**Dennis Kennedy, Mayor**

**CALL TO ORDER**

(Mayor Kennedy)

**ROLL CALL ATTENDANCE**

(City Clerk Torrez)

**DECLARATION OF POSTING OF AGENDA**

**Per Government Code 54954.2**  
(City Clerk Torrez)

**OPPORTUNITY FOR PUBLIC COMMENT**

**PUBLIC COMMENT**

**NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.**

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME  
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND  
PRESENT IT TO THE CITY CLERK.**

(See notice attached to the end of this agenda.)

**PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE  
CITY CLERK WILL FORWARD CORRESPONDENCE TO THE CITY COUNCIL.**

***City Council Action***

**CONSENT CALENDAR:**

**ITEM 1**                      The Consent Calendar may be acted upon with one motion, a second and the vote, by each respective Agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

**Time Estimate**

**Page**

**Consent Calendar: 1 - 10 Minutes**

- 1.      EMERGENCY EXPENDITURE FOR SEWER LINE REPAIR NEAR OAK HILL COURT..... 1**  
**Recommended Action(s):**  
1.    **Adopt** Resolution Declaring the Need for Emergency Expenditure for Sewer Line Repair in the Jackson Oaks Area; and  
2.    **Approve** Funding in the Amount of \$30,000 for the Emergency Work.

**FUTURE COUNCIL-INITIATED AGENDA ITEMS:**

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

**ADJOURNMENT**



## **CITY COUNCIL STAFF REPORT**

**MEETING DATE:** *September 21, 2005*

### **EMERGENCY EXPENDITURE FOR SEWER LINE REPAIR NEAR OAK HILL COURT**

#### **RECOMMENDED ACTION(S):**

1. Adopt attached resolution declaring the need for emergency expenditure for sewer line repair in the Jackson Oaks area.
2. Approve funding in the amount of \$30,000 for the emergency work.

**EXECUTIVE SUMMARY:** While working on the Sewer Inspection and Root Abatement project, staff just became aware of a sewer line failure in the Jackson Oaks/Holiday Hill service area. The sewer line failure is located in an area behind the Jackson Oaks Club House, down hill from Oak Hill cul-de-sac. The sewer line appears to have collapsed due to a subsided manhole vault. Portions of the pipeline are missing as evidenced by a recent video inspection. The manhole was stabilized, however the broken sewer line was not discovered until the video inspection. Some flow from the failed sewer line appears to have been percolating into the surrounding ground and contributing to the pipeline failure.

The failed sewer line provides service to approximately 30 homes and under current conditions, can easily be repaired. The sewer line and manhole are in an established ravine cut by seasonal drainage on one side and a developing ravine on a second side. This condition heightens the impending threat of an eminent sewer discharge within the open space area. Access to the manhole and failed sewer line for maintenance or repair during the winter months is hazardous. The threat of a sewer spill in the area is elevated to the critical level due to the approaching rainy season when storm flows can exacerbate the problem and compromise Public Work's ability to respond to a sewer discharge event.

A rough estimate of \$22,000 was submitted by a local contractor. An additional \$8,000 contingency allowance for this contract is being requested by Public Works due to the potential for extra cost as the work progresses. The emergency repair work was started on September 20, 2005.

**FISCAL/RESOURCE IMPACT:** Sufficient funds exist in our Operations budget for this repair under Contract Services 640-5900-42231.

**Agenda Item # 1**

**Prepared By:**

\_\_\_\_\_  
**Utility Systems  
Manager**

**Approved By:**

\_\_\_\_\_  
**Public Works Director**

**Submitted By:**

\_\_\_\_\_  
**City Manager**

## **RESOLUTION NO.**

### **A RESOLUTION OF THE CITY COUCIL OF THE CITYOF MORGAN HILL DECLARING THE NEED FOR AN EMERGENCY EXPENDITURE FOR THE REPAIR OF SEWER LINE LOCATED NEAR OAK HILL COURT IN ACCORDANCE WITH PUBLIC CONTRACT CODE 20168**

**WHEREAS**, an emergency exists due to a section of failed sewer line and the potential sewer discharge in the Jackson Oaks area; and

**WHEREAS**, it was determined that the impending threat of a sewer discharge at this location would violate the permit issued to the City by the Regional Water Quality Control Board, and jeopardizes public health and safety, and the surrounding open space area; and

**WHEREAS**, the City's ability to respond to a sewer discharge at this location would be hampered because of accessibility issues during the approaching winter months and would create a great and extraordinary hazard to City employees, the public, and the surrounding open space area; and

**WHEREAS**, that due to the emergency the emergency provisions of Municipal Code Section 3.04 are being followed; now

**THEREFORE, BE IT RESOLVED** that the City Council of the City of Morgan Hill does resolve, determine and order the following:

1. The failed sewer line located near Oak Hill Court required emergency repair to prevent a sewer discharge which would violate the governmental operating permits issued to the City.
2. The immediate expenditure of public funds was necessary to safeguard life, health and property.
3. Under the provision of Municipal Code Section 3.04 due to the emergency the normal bidding requirements are waived and therefore the purchasing officer was authorized to contract for the repair without requiring bids
4. The sum of \$30,000 is hereby approved for expenditure for emergency sewer line repair.

**PASSED AND ADOPTED** by the City Council of Morgan Hill at a Regular Meeting held on the 21<sup>st</sup> Day of September, 2005 by the following vote.

**AYES:**           **COUNCIL MEMBERS:**  
**NOES:**          **COUNCIL MEMBERS:**  
**ABSTAIN:**   **COUNCIL MEMBERS:**  
**ABSENT:**     **COUNCIL MEMBERS:**

**☞ CERTIFICATION ☞**

**I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA,** do hereby certify that the foregoing is a true and correct copy of Resolution No. , adopted by the City Council at a Regular Meeting held on September 21, 2005.

**WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.**

**DATE:** \_\_\_\_\_

\_\_\_\_\_  
**IRMA TORREZ, City Clerk**